

# **Ex. 5 Attorney Client (AC)**

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Sent from my iPhone

Begin forwarded message:

**From:** "Naito, Janet@DTSC" <Janet.Naito@dtsc.ca.gov>  
**To:** "Edmondson, Russ@DTSC" <Russ.Edmondson@dtsc.ca.gov>, "LEE, LILY" <LEE.LILY@EPA.GOV>  
**Cc:** "Pettijohn, Julie@DTSC" <Julie.Pettijohn@dtsc.ca.gov>, "juanita.bacey@dtsc.ca.gov" <juanita.bacey@dtsc.ca.gov>  
**Subject:** RE: Hunters Point Media Inquiry

Inside EPA reporter Suzanne Yohannan contacted my Public Information Officer, Russ Edmondson. She had a few questions related to the Hunters Point Superfund site, and Tetra Tech work as a cleanup contractor at the site. She indicated that she working under a deadline of tomorrow (7/13) at 4 p.m. Eastern time. I've mocked up a few draft responses. I am reachable by cell phone (415-652-4864) from 9 to 10 a.m. and 11:30 a.m. to 1:30 p.m. tomorrow. I am also forwarding this to a Lily Lee at US EPA and Sheetal Singh at CDPH since Nina is on vacation this week and I wanted to keep them in the loop.

1. DTSC and EPA Region 9 last year wrote a letter to the Navy about this site, noting ongoing investigations into the veracity of Tetra Tech's data on the cleanup there, and I believe transfers of property were suspended. Can you tell me what the status is of those investigations (or at least DTSC's)? What were DTSC's findings? When did they come out? Is cleanup now occurring? Are transfers of property no longer suspended?

In September 2016, US EPA and DTSC sent a letter to the Navy confirming our understanding that property transfers at the Hunters Point Naval Shipyard site (HPNS) would be suspended until ongoing investigations into Tetra Tech's misrepresentation of data delivered to the Navy were resolved and/or the actual potential public health exposure to radioactive material was clarified. In November 2016, the Navy hired an independent team of contractors to review and evaluate the reliability of the radiological data collected by Tetra Tech.

DTSC, together with experts from the California Department of Public Health, is participating in a "Tiger Team", together with U.S. Environmental Protection Agency, their technical experts, the Department of the Navy, their technical experts, and the City of San Francisco to evaluate radiological data collected by Tetra Tech at HPNS. As part of the evaluation the Navy's technical team is developing a database of soil data and identifying radiological sampling/survey results that may require further evaluation. This evaluation is ongoing. An initial progress update is planned for September 2017. Therefore, transfers of property covered under this evaluation remain suspended. A copy of a fact sheet describing the data evaluation process is attached.

2. Is DTSC conducting any additional investigations -- such as enforcement (civil or criminal)?

The Navy is the lead agency responsible for the investigation and cleanup of the Hunters Point Naval Shipyard site. U.S. EPA is the lead regulatory agency. DTSC and the Water Board, together with the US EPA, oversee and enforce Navy compliance with federal and state requirements to ensure the cleanup at the Site protects human health and the environment. DTSC contracts with the California Department of Public Health (CDPH) to review all documents pertaining to radiation cleanup at the Hunters Point cleanup site.

It is our understanding that US EPA and the Navy are both investigating the allegations. Therefore, DTSC and CDPH are not conducting separate investigations at this time and are awaiting the results of the federal investigations to determine if a separate State action is appropriate.

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**From:** Edmondson, Russ@DTSC

**Sent:** Wednesday, July 12, 2017 2:39 PM

**To:** Naito, Janet@DTSC <[Janet.Naito@dtsc.ca.gov](mailto:Janet.Naito@dtsc.ca.gov)>; Bacey, Juanita@DTSC <[Juanita.Bacey@dtsc.ca.gov](mailto:Juanita.Bacey@dtsc.ca.gov)>

**Cc:** Pettijohn, Julie@DTSC <[Julie.Pettijohn@dtsc.ca.gov](mailto:Julie.Pettijohn@dtsc.ca.gov)>

**Subject:** RE: Hunters Point Media Inquiry

Great, thanks Janet!

Russ

***Russ Edmondson***

*Media Information Officer*

*California Department of Toxic Substances Control (DTSC)*

*California Environmental Protection Agency*

Office: 916.323.3372

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**From:** Naito, Janet@DTSC  
**Sent:** Wednesday, July 12, 2017 2:38 PM  
**To:** Edmondson, Russ@DTSC; Bacey, Juanita@DTSC  
**Cc:** Pettijohn, Julie@DTSC  
**Subject:** RE: Hunters Point Media Inquiry

Hi Russ, Nina is on vacation. I will mock up a response and email to you by COB today, so that we have some time to make modifications tomorrow.

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**From:** Edmondson, Russ@DTSC  
**Sent:** Wednesday, July 12, 2017 2:33 PM  
**To:** Naito, Janet@DTSC <[Janet.Naito@dtsc.ca.gov](mailto:Janet.Naito@dtsc.ca.gov)>; Bacey, Juanita@DTSC <[Juanita.Bacey@dtsc.ca.gov](mailto:Juanita.Bacey@dtsc.ca.gov)>  
**Subject:** Hunters Point Media Inquiry

Hi Janet and Juanita, we received this media inquiry on Hunters Point from Inside EPA reporter Suzanne Yohannan.

She has a deadline of 1pm tomorrow. Please let me know how we can respond.

Thanks very much!

Russ

**Russ Edmondson**  
Media Information Officer  
California Department of Toxic Substances Control (DTSC)  
California Environmental Protection Agency  
Office: 916.323.3372

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**From:** Suzanne Yohannan [<mailto:suzanne@iwpnews.com>]  
**Sent:** Wednesday, July 12, 2017 2:08 PM  
**To:** Edmondson, Russ@DTSC  
**Subject:** Hunters Point site

Russ,

I have a few questions that I'm hoping you can answer that relate to Hunters Point Superfund site, and Tetra Tech work as a cleanup contractor at the site.

DTSC and EPA Region 9 last year wrote a letter to the Navy about this site, noting ongoing investigations into the veracity of Tetra Tech's data on the cleanup there, and I believe transfers of property were suspended. Can you tell me what the status is of those investigations (or at least DTSC's)? What were DTSC's findings? When did they come out? Is cleanup now occurring? Are transfers of property no longer suspended?

Is DTSC conducting any additional investigations -- such as enforcement (civil or criminal)?

I'm working under a deadline of tomorrow (7/13) at 4 p.m. Eastern time.

Thanks.

Suzanne Yohannan  
Inside EPA  
Superfund Report  
703-562-8759  
[suzanne@iwpnews.com](mailto:suzanne@iwpnews.com)